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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,085	11/14/2000	Bruce S. Williamson	KCX-224 (15065)	8779

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EXAMINER

CINTINS, IVARS C

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/712,085

Applicant(s)

WILLIAMSON ET AL.

Examiner

Ivars C. Cintins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 12-20, 23, 24 and 26-28 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-8, 12-20 and 23 is/are allowed.
6) ☒ Claim(s) 24, 26 and 27 is/are rejected.
7) ☒ Claim(s) 28 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24, 26 and 27 rejected under 35 U.S.C. 103(a) as being unpatentable over Ruger et al. (U.S. Patent No. 5,122,270; hereinafter "Ruger") in view of Hiasa et al. (U.S. Patent No. 5,607,595; hereinafter "Hiasa"). Ruger discloses a filtration device comprising a housing, a cylindrical core, and a spirally wound filtration media, which filtration media includes a plurality of "different types of wound media." See Figs. 1-5; col. 2, lines 65-68; col. 3, lines 23-43; col. 5, lines 1-18, 36-50 and 66-68; and col. 6, line 29. Accordingly, this primary reference discloses the claimed invention with the exception of the presence of activated carbon in the filtration media. Hiasa et al. teaches filtering a fluid through a sheet of activated carbon fibers (see col. 6, lines 14-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the activated carbon of Hiasa into the filtration material of Ruger, in order to provide the purification functions associated with activated carbon for the filtration device of this primary reference. Such modification is deemed to be especially obvious in view of the disclosure by Ruger that the filter element of this reference can have "an adsorption characteristic" (see col. 2, lines 66-67).

Applicant's arguments filed September 2, 2005 have been noted and carefully considered but are not deemed to be persuasive of patentability. Applicant argues that Ruger does not disclose a filtration media having a plurality of "different types of media." It is pointed out, however, that the term "different types of media" is broad enough to include filtration media

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which differ merely in density or fiber compaction, and does not require media having different chemical compositions. Accordingly, since the individual filtration zones of the Ruger filtration device, by Applicant's own admission (page 9, first full paragraph of the response), have "different filtering properties," these zones are deemed to contain different "types" of filtration media, as required by claims 24, 26 and 27.

Claims 1-8, 12-20 and 23 are allowed because the references of record do not teach or fairly suggest a filtration device of the type recited, wherein the filter media comprises a laminate of a plurality of different material layers.

Similarly, claim 28 is objected to as being dependent upon a rejected base claim, but would also be allowed if rewritten in independent form to include all of the limitations of parent claim 24 because the references of record do not teach or fairly suggest a filtration device of the type recited, wherein the spirally wound filtration media comprises a laminate of filter media.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins whose telephone number is 571-272-1155. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Duane Smith, can be reached at 571-272-1166.

The centralized facsimile number for the USPTO is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ivars C. Cintins
Primary Examiner
Art Unit 1724

I. Cintins
November 7, 2005